

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

69cv07941 BB-ACE

vs.

ROMAN ARAGON, *et al.*,

RIO CHAMA STREAM SYSTEM

Defendants.

Sections 3, 5 and 7

**SCHEDULING ORDER FOR FURTHER PROCEEDINGS**

THIS ORDER is entered by the Special Master pursuant to Fed. R. Civ. P. 53, following the November 6, 2006, general status conference and discussions with participating counsel regarding existing adjudication schedules.

IT IS ORDERED, therefore, that

1. no later than **December 15, 2006**,

a. counsel for the Jicarilla Apache Tribe and the State of New Mexico, *ex rel.* State Engineer (State) shall jointly move to propose a scheduling order governing additional adjudication activity for outstanding water rights claims of the Jicarilla Apache Tribe;

b. counsel for the Acequias Norteñas and the State shall jointly move to further amend the August 26, 2004, Order Adopting Priorities Adjudication Schedule (Docket No. 7567), as amended February 21, 2006 (No. 8128); and

c. counsel for the State and the Gallina Acequia Association shall jointly move for the entry of an amendment to the February 15, 2005, Scheduling Order on Irrigation Water Requirements (No. 7761).

2. No later than **January 31, 2007**,

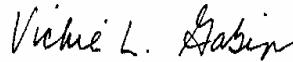
a. counsel for the State and the United States of America (United States) shall jointly move to further amend the March 1, 2005, Scheduling Order for Federal Non-Indian Water Rights Claims (No. 7770), as amended October 31, 2005 (No. 8029). Provisions for including interested acequia associations in the proceedings shall be included in the amendment; and

b. the State shall submit to the United States the consent orders which resolve the water rights claims of the United States in Section 5 (Gallina);

c. counsel for the State and the Gallina Acequia Association shall submit to the Special Master a proposed scheduling and procedural order governing *inter se* proceedings in Section 5. The proposed order shall include proceedings on customs and will be discussed at the February 6, 2007 status conference; and

d. counsel for the State and Section 4 (El Rito) shall submit a joint status report and recommendations for proceeding on issues relating to water allocation customs in Section 4. This matter will be discussed at the February status conference.

IT IS SO ORDERED.



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SPECIAL MASTER VICKIE L. GABIN